

S/L 7
21.12.2020
Court. No. 19
GB

C.O. 1094 of 2020

Ravi Rajan
Vs.
Abhilasha Singh & Anr.

(Through Video Conference)

Ms. Sudeshna Basu Thakur.

...for the Petitioner.

The petitioner is the husband in Matrimonial Suit No.656 of 2018 pending before the learned Additional District Judge, 10th Court at Alipore.

The petitioner prays for expeditious disposal of the said matrimonial suit. It is submitted that no application has been filed by the wife claiming maintenance. It is further submitted that the suit was fixed for ex parte hearing and the opposite party/wife has filed an application for vacating the said order which is pending since 2019.

Without going into the merits of the suit and without making any observation with regard to the claim of the petitioner, this revisional application is disposed of with a direction upon the learned court below to hear out the application filed by the opposite party/wife for vacating the order fixing the suit for ex parte hearing expeditiously, preferably within a period of two weeks from the next date fixed and in case the said application is allowed, the hearing of the matrimonial suit shall be expedited.

It is made clear that if in the meantime there is an order for payment of maintenance, then in case of default this direction will not be applicable.

The learned court below will proceed with the matter independently. This Court has not expressed any opinion with regard to the maintainability of the application filed by the wife before the learned court.

The petitioner is directed to serve a copy of this revisional application along with server copy of this order upon the opposite parties within a week from date.

The revisional application is disposed of.

There will be, however, no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)